

1 PHILLIP A. TALBERT  
United States Attorney  
2 MATHEW W. PILE, WSBA No. 32245  
Associate General Counsel  
3 Office of Program Litigation, Office 7  
4 NOAH SCHABACKER, Maryland Bar  
Special Assistant United States Attorney  
5 Office of the General Counsel  
Social Security Administration  
6 1961 Stout Street, Suite 4169  
7 Denver, CO 80294-4003  
Telephone: (303) 844-6232  
8 Email: Noah.Schabacker@ssa.gov

9 Attorneys for Defendant

10  
11 **UNITED STATES DISTRICT COURT**  
12 **EASTERN DISTRICT OF CALIFORNIA**  
13 **SACRAMENTO DIVISION**  
14

15 IRINA NEDASHKOVSKIY,	)	CIVIL NO. 2:22-cv-0410-JDP
16 Plaintiff,	)	
17 v.	)	<b>STIPULATION TO VOLUNTARY</b>
18 KILOLO KIJAKAZI,	)	<b>REMAND PURSUANT TO SENTENCE</b>
Commissioner of Social Security,	)	<b>FOUR OF 42 U.S.C. § 405(g) AND TO</b>
19 Defendant.	)	<b>ENTRY OF JUDGMENT; <del>PROPOSED</del></b>
	)	<b>ORDER</b>
20	)	

21  
22 IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo  
23 Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned  
24 counsel of record, that the above-entitled action shall be remanded to the Commissioner of  
25 Social Security for further administrative proceedings.

26 Upon remand, the Appeals Council will remand the case to an Administrative Law  
27 Judge (ALJ) for further administrative proceedings, including offering the claimant the  
28 opportunity for a new hearing. The ALJ shall re-evaluate the evidence of record and issue a

STIPULATION TO REMAND

1 new decision. The parties further request that the Court direct the Clerk of the Court to enter a  
2 final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the  
3 Commissioner.

4 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the  
5 Social Security Act, 42 U.S.C. 405(g).  
6

7 Dated: December 15, 2022

/s/ Jesse S. Kaplan\*

JESSE S. KAPLAN

Attorney for Plaintiff

\*Authorized via e-mail on December 14, 2022

PHILLIP A. TALBERT

United States Attorney

MATHEW W. PILE

Associate General Counsel

Office of Program Litigation, Office 7

Social Security Administration

By: /s/ Noah Schabacker

NOAH SCHABACKER

Special Assistant United States Attorney

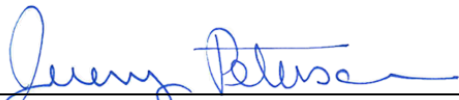
Attorneys for Defendant

**~~[PROPOSED]~~ ORDER**

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings pursuant to the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g). The Clerk of Court is directed to enter judgment in plaintiff's favor.

IT IS SO ORDERED.

Dated: December 15, 2022

  
JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE